



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,718	04/30/2001	Juha-Pekka Sipponen	004770.00671	9439
22907 7590 12/20/2006 BANNER & WITCOFF 1001 G STREET N W SUITE 1100 WASHINGTON, DC 20001			EXAMINER HAQ, NAEEM U	
			ART UNIT 3625	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	
3 MONTHS			12/20/2006	
			DELIVERY MODE PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/843,718	Applicant(s) SIPPONEN, JUHA-PEKKA	
	Examiner Naeem Haq	Art Unit 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-20, 33, 56, 66, 67, 69-71, 84, 107, 116 and 120-123 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-20, 33, 56, 66, 67, 69-71, 84, 107, 116, and 120-123 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is in response to the Applicant's amendment filed October 18, 2006. Claims 18-20, 33, 56, 66, 67, 69-71, 84, 107, 116, and 120-123 are pending and will be considered for examination.

Final Rejection

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 18-19, 33, 56, 66, 67, 69, 84, 107, 116, 120, and 122 are rejected under 35 U.S.C. 103(a) as being unpatentable over Block (US Publication 2002/0010604 A1) in view of Walker et al. (US 5,794,207) ("Walker") and further in view of LaBrie et al. (US 2002/0047861 A1) ("LaBrie") and Lapstun et al. (US 6,728,000 B1) ("Lapstun").

Referring to claim 18: Block discloses a method of electronically purchasing tickets comprising:

- using a mobile personal trusted device of a purchaser which is in wireless communication with a server of a provider of the tickets to select a ticket to be purchased (paragraphs [0027], [0667], and claim 1);
- using the mobile personal trusted device to communicate with the server which verifies a purchase of a selected ticket and authenticity of the

purchaser (paragraphs [0028], [0044], [0046], and claim 1: "...issuing said member either one of a written or oral confirmation of all travel plan arrangements made; and saving the confirmation in said system for at least the period of time said member will be traveling, for permitting by said member at any time during the travel period.");

- saving in a memory information regarding the purchase from which the purchased ticket is output (paragraphs [0668] and [0669]).

Block does not teach signing with the server a contract representing purchase of the ticket by the purchaser. However, Walker teaches a method and system for binding a buyer to an electronic contract based on the buyer's purchase offer (Abstract; col. 1, lines 10-12; col. 8, line 28 – col. 9, line 30; col. 16, line 12 – col. 17, line 7; col. 18, line 56 – col. 20, line 4). Therefore it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the teachings of Walker into the invention of Block. One of ordinary skill in the art would have been motivated to do so in order to allow a seller to be able to collect funds immediately upon the acceptance of the buyer's terms, as taught by Walker (col. 7, lines 39-42). The cited prior art does not teach that the purchased ticket is output by an authorized device selected by the mobile personal trusted device. The Examiner notes that the Applicant's specification discloses that the limitation "selected by the mobile personal trusted device" means that the user of the personal trusted device selects a output device (see specification page 7, lines 3-7: "*The user gives the reference number of the desired self-service printing device (that is selected to print out the ticket) and the ticket identification (or selects it from an offered list from the user interface) at point 408, which are user signed at point 410 by the PTD 28 1 before sending the printing request message to the TSP.*") LaBrie teaches a system and method that allows a user of a

mobile personal trusted device (paragraph [0048]) to reserve (paragraphs [0070]-[0072]) and print out a ticket from a user selected printer at an authorized access point (paragraph [0075]). Therefore it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the teachings of LaBrie into the cited prior art. One of ordinary skill in the art would have been motivated to do so in order to allow a user the option of obtaining the tickets, as taught by LaBrie (paragraph [0075]). The cited prior art does not teach that authorization of the output device is determined by the server of the provider. However, Lapstun teaches a system and method wherein the authorization of the output device is determined by the server of the provider (column 2, lines 48-51; column 15, lines 58-63; column 33, lines 22-40). Therefore it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate the teachings of Lapstun into the cited prior art. One of ordinary skill in the art would have been motivated to do so in order to have a secure transmission between the output device and the server, as taught by Lapstun (col. 33, lines 13-20).

Referring to claim 19: The cited prior art teaches or suggests all the limitations of claim 18 as noted above. Furthermore, Block teaches that the authorized device is an authorized printing device, and the purchaser communicates with the provider of the tickets to print the ticket with the authorized printing device (paragraphs [0667]-[0669]).

Referring to claim 20: The cited prior art teaches or suggests all the limitations of claim 19 as noted above. Furthermore, Block teaches that the authorized printing

device is connected to the server by way of a network connection (Figure 1, items "2", "11", and "12").

Referring to claims 33, 56, 66, 67, 69, 84, 107, 116, 120, and 122: Claims 33, 56, 69, 84, 107, 116, 120, and 122 are rejected under the same rationale as set forth above in claim 18.

Referring to claim 70: Claim 70 is rejected under the same rationale as set forth above in claim 19.

Referring to claim 71: Claim 71 is rejected under the same rationale as set forth above in claim 20.

Claims 121 and 123 are rejected under 35 U.S.C. 103(a) as being unpatentable over Block (US Publication 2002/0010604 A1) in view of Walker et al. (US 5,794,207) ("Walker") and further in view of LaBrie et al. (US 2002/0047861 A1) ("LaBrie") and Lapstun et al. (US 6,728,000 B1) ("Lapstun") and further in view of Official Notice.

Referring to claim 121: The cited prior art teaches or suggest all of the limitations of claim 120 as noted above. The cited prior art does not teach that the printer, after printing the purchased ticket, acknowledges the printing of the ticket to the server of the provider of the tickets. However, Official Notice is taken that it is old and well known in the art to for a printer to acknowledge the printing of a document to a server. Therefore it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to incorporate this feature into the invention of the cited prior art. One of ordinary skill in the art would have been motivated to do so in order to allow the server to free up the memory resources that had been reserved for the print job.

Referring to claim 123: Claim 123 is rejected under the same rationale as set forth above in claim 121.

Response to Arguments

Applicant's arguments have been fully considered but they are not persuasive. The Applicant has traversed the examiner's rejection on the grounds that LaBrie does not teach the step of "*saving in a memory information regarding the purchase from which the purchased ticket is output by an authorized device selected by the mobile personal trusted device with authorization being determined by the server of the provider.*" The Applicant then alleges that the examiner has asserted that LaBrie teaches the whole limitation (see Remarks page 14). The examiner respectfully disagrees. In rejecting this limitation, the examiner noted that Block, LaBrie, and Lapstun teach this limitation. The examiner specifically noted in the previous Office Action that Block teaches "*saving in a memory information regarding the purchase from which the purchased ticket is output...*", LaBrie teaches "*...the purchased ticket is output by an authorized device selected by the mobile personal trusted device...*", and Lapstun teaches "*...authorization of the output device is determined by the server of the provider.*" In arguing against the rejection, the Applicant has completely ignored the Block and Lapstun references and has focused on the LaBrie reference with the primary argument that LaBrie fails to disclose the whole limitation. Since the examiner has already rejected portions of the limitation under Block and Lapstun, and because the Applicant did not argue against these references, the examiner will focus on that portion of the limitation

Art Unit: 3625

which the examiner did assert is taught by LaBrie (i.e. "...the purchased ticket is output by an authorized device selected by the mobile personal trusted device...").

The Applicant's specification discloses that the limitation "selected by the mobile personal trusted device" means that the user of the personal trusted device selects a output device (see specification page 7, lines 3-7: "*The user gives the reference number of the desired self-service printing device (that is selected to print out the ticket) and the ticket identification (or selects it from an offered list from the user interface) at point 408, which are user signed at point 410 by the PTD 28 1 before sending the printing request message to the TSP.*") LaBrie teaches a system and method that allows a user of a mobile personal trusted device (paragraph [0048]) to reserve (paragraphs [0070]-[0072]) and print out a ticket from a user selected printer at an authorized access point (paragraph [0075]). The Applicant has argued that LaBrie teaches a printer at a fixed location, and therefore fails to teach the limitation (see remarks page 15). The examiner respectfully disagrees and notes that the claim language does not explicitly state whether or not the output device is at a fixed location or any other location. In fact, the claim language is completely silent on the location of the output device. For this reason, the examiner maintains the art rejection.

The Applicant has also argued that LaBrie teaches printing from the access point when the user is physically present at the access point and not when the user is utilizing the mobile electronic device. The examiner respectfully disagrees. LaBrie teaches that a PDA (i.e. mobile electronic device) provides an interface for a user to access the network (paragraph [0048]). While on the network, the user can access a variety of subsystems [0052] such as the Navigator subsystem [0060], On-Site reservation subsystem [0069], and the Excursion Information subsystem [0075]. It is within the

Art Unit: 3625

Excursion subsystem that the user accesses the printer and prints a ticket ([0075]).

Thus, it is clear from the LaBrie reference that user is printing from the printer while utilizing the interface provided by the PDA.

Finally, the Applicant has argued that combining LaBrie with Block would "destroy" the advantages taught by Block because there is teaching or suggestion that the tickets of Block are outputted by an authorized device selected by a mobile personal terminal (see remarks pages 16 and 17). The examiner respectfully disagrees. Both Block and LaBrie are directed to using a mobile device to purchase tickets. LaBrie further teaches that the PDA is used to print the ticket (i.e. authorized device selected by the mobile personal trusted device). Furthermore, one of ordinary skill in the art would recognize that the combination of Block and LaBrie would have a reasonable chance for success because incorporating the PDA and printer of LaBrie into the invention of Block (which also uses a mobile device and printer) would not alter the technical characteristics of either invention in such a way as to render the combination inoperable.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the


Art Unit: 3625

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naeem Haq whose telephone number is (571)-272-6758. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on (571)-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Naeem Haq, Primary Examiner
Art Unit 3625

December 14, 2006